

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

\_\_\_\_\_  
BILLY PERRY,

Petitioner,

v.

JOHN NASH, et al.,

\_\_\_\_\_  
Respondents.

Civil No. 05-3149 (JLL)

**ORDER**

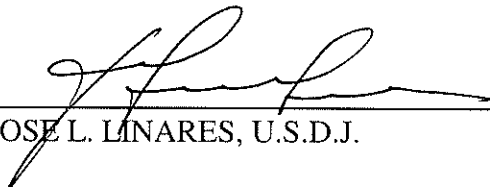
For the reasons set forth in the Opinion filed herewith,

It is on this 8<sup>th</sup> day of August, 2005,

ORDERED that the Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 is  
DISMISSED WITHOUT PREJUDICE for failure to exhaust state court remedies; and it is  
further

ORDERED that the Court declines to issue a certificate of appealability pursuant to 28  
U.S.C. § 2253(c); and it is finally

ORDERED that the Clerk shall serve upon Petitioner, Reg. No. 24964-050, copies of this  
Order and the accompanying Opinion by regular mail, and shall close the file.

  
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JOSE L. LINARES, U.S.D.J.